

Anniston, Alabama

June 04, 2019

The City Council of the City of Anniston, Alabama, met in Regular Session in the Council Chambers in the City Hall of the City of Anniston, Alabama, on Tuesday, June 04, 2019, at approximately 5:39 o'clock p.m.

Bud Owsley, President of Boozer Beam, prayed the Invocation.

Bud Owsley, President of Boozer Beam, led the Pledge of Allegiance to the Flag.

Mayor Draper called the meeting to order. On call of the roll, the following Council Members were found to be present: Council Members Jenkins, Reddick, Little, Harris, and Draper, absent: none. A quorum was present and the meeting opened for the transaction of business.

Jay Johnson, City Manager, was present.

Bruce Downey, City Attorney, was present.

Council Member Harris made a motion to waive the reading of and approve the minutes from the May 21, 2019 regular meeting. The motion was seconded by Council Member Jenkins and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Reddick, Little, Harris, and Draper; nays: none. The motion carried and the May 21, 2019 minutes were approved.

Mayor Draper made a motion to waive the reading of and approve the minutes from the May 28, 2019 special called meeting. The motion was seconded by Council Member Reddick and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Reddick, Little, Harris, and Draper; nays: none. The motion carried and the May 28, 2019 minutes were approved.

Mayor Draper made a motion to approve the agenda with the addition of a resolution authorizing reimbursements to City officials for expenses incurred while traveling away from the City. The motion was seconded by Council Member Jenkins and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Reddick, Little, Harris, and Draper; nays: none. The motion carried and the agenda was adopted.

Mayor Draper opened a public hearing to receive comments for board confirmation of Whitney Roberson to the Anniston Main Street Board.

Whitney Roberson wanted to thank everyone for the opportunity to serve on the Main Street Board.

Council Member Jenkins stated that he sat at a table with Whitney at a Main Street work session and he left that meeting feeling optimistic about the City's future with the energy that Whitney and the others at the table brought forth.

Council Member Harris stated that she was at that meeting as well, and the creativity and synergy, was very invigorating and that they give us hope for the future of Downtown.

Mayor Draper stated that he enjoyed meeting Whitney at that the meeting as well.

Mayor Draper closed the public hearing to receive comments for board confirmation of Whitney Roberson to the Anniston Main Street Board.

Council Member Reddick made a motion to approve a Release of lien sated 09/10/2001 in the amount of \$7,316.82 secured by real property located at 1805 W 21st Street. The motion was seconded by Mayor Draper.

Mayor Draper stated that they discussed at a work session, to release those current liens located at 1534 Woodstock Ave and 1124 Mulberry Ave and all liens.

Mayor Draper made a motion to amend Council Member Reddick's motion to contain releasing the liens at 1534 Woodstock Ave, 520 South Christine Ave, 1534 Walnut Ave, 1832 W 16th St., 1419 Leman Ave, 1124 Mulberry Ave, 132 E. 27th St., 1501 Moore Ave, and 1515 Moore Ave. The motion was seconded by Council Member Reddick.

Council Member Jenkins stated that he is comfortable with that under the condition that if the City engages in these kind of loans going forward there is a clear and defined policy of forgiveness or repayment.

Council Member Reddick thanked Mary Motley for the great job on the research she did.

On call of the roll, the following vote was recorded: ayes: Council Member Jenkins, Reddick, Little, Harris, and Draper; nays: none. The motion to amend Council Member Reddick's motion carried.

On call of the roll, the following vote was recorded: ayes: Council Member Jenkins, Reddick, Little, Harris, and Draper; nays: none. Council Member Reddick's motion with the addition of Mayor Draper's amendment carried.

Mayor Draper made a motion to appoint Rob Svenson to the Health Care Authority to fill the vacancy of Place 6 (Jimmie Thompson) expiring May 31, 2019. The motion was seconded by Council Jenkins.

Council Member Little stated that this is an appointment for Ward 3 and this came off the agenda for a 30 day extension and they shouldn't be voting on this tonight. There is not one individual serving on the hospital board representing Ward 3.

Council Member Jenkins stated that the vote at the special meeting was to extend the 60-day timeline that council had to consider the individuals by 30 days to stay within the law.

Mayor Draper stated that he has discussed this at length with Council Member Little and that going forward with future appointments on the Health Care Authority that all wards are represented and potentially amend the Health Care Ordinance.

Council Member Reddick stated that he will vote against this with Council Member Little because he agrees that this was initially a Ward 3 appointment and that they didn't even consider Council Member Little's appointment.

Council Member Jenkins stated that agrees with the Mayor and acknowledges the concerns of Council Member Little and Reddick but they are bound by the current ordinance. Both entities have to agree on changes to that ordinance.

Council Member Little stated that we are getting ready to replace a black man on the board for a white individual. He stated that 1/4 of this city is not represented on the Health Care Authority board and this

is a backdoor way of at large voting to take away the representation of individuals in Ward 3. He stated that they could not allow an unelected body to dictate to the council.

On call of the roll, the following vote was recorded: ayes: Council Member Jenkins, Harris, and Draper; nays: Council Member Reddick and Little. The motion to appoint Rob Svenson to the Health Care Authority to fill vacancy Place 6 expiring May 31, 2019 carried.

Mayor Draper made a motion to appoint Linda Jenkins to the Health Care Authority to fill the upcoming vacancy of Place 7 expiring May 31, 2019. The motion was seconded by Council Member Harris.

Council Member Little stated that it is their policy that someone appointed to a board has to come before the council. He stated that he would vote for Mrs. Jenkins but he will not tonight, because she is not there.

Council Member Reddick stated that he thinks Mrs. Jenkins is a great appointee but he will not vote because he has some concern about what is going on.

On call of the roll, the following vote was recorded ayes: Council Member Jenkins, Harris, and Draper; nays: Council Member Little; abstentions: Council Member Reddick. The motion to appoint Linda Jenkins to the Health Care Authority to fill vacancy 7 expiring May 31, 2019 carried.

Jay Johnson, City Manager, stated that they opened bids toward the end of May and the bid far exceeded the budget and the council rejected that. Last week they reopened the second round of bids and again the bid exceeded the budget. They only received one bid at each opening. The discussion during the second round of bidding was to separate the remodel into Part A and Part B. He stated that he is recommending to the council for Part A bid in the amount of \$ 384,000.00 and that the motion include the authorization of the architect and the City Manager to have further discussions for value engineering deducts to that amount and report that back to the City Council at the next meeting. Part A would complete all the renovations necessary for the administrative offices located at the Relocated City Hall and Part B, which will be negotiated in the future, would be for the City Council Chambers. The City Manager's recommendation is to award the Part A bid to McWhorter and Co. in the amount of \$384,000.00.

Mayor Draper made a motion to approve the award to McWhorter and Co. for the Renovation of Leased Space, Temporary City Hall Location to include Part A, the administrative offices portion of the Relocated City Hall with the addition of authorizing the City Manager and architect to further discuss deducts from the amount of \$384,000.00. The motion was seconded by Council Member Jenkins.

Council Member Jenkins stated that it is important to move forward even though he is not happy with the numbers.

Council Member Reddick stated that they turned down the bid last time because of the money, \$440,000 and now they are going to spend more than \$440,000.00 with this. He stated that they are getting less work done and spending more money. He does not see how this is reasonable.

Mayor Draper stated that it is important to move on this and understands Council Member Reddick's concerns. He stated that of the options they had for moving into, for a temporary space, this remains the most cost effect.

Council Member Harris stated that they do not need to throw up any more roadblocks but she understands Council Member Reddick's concerns but they need to keep moving on and agrees with Mayor Draper.

Council Member Little asked when the rebid took place.

Jay Johnson, City manager, stated that they had a pre-bid conference that was mandatory and only the bidders that were prequalified were eligible to bid. The bidders had approximately 10 days from the rebid to send bids in.

Council Member Little stated that he does not agree with the short 10-day turnaround for the amount of money they are spending.

On call of the roll, the following vote was recorded: ayes: Council Member Jenkins, Harris, and Draper; nays: Council Member Reddick and Little. The motion carried.

Council Member Little made a motion to have the City of Anniston file a public record request with the Justice Department on the Voting Rights Act, 1972, municipal elections form of government for the City of Anniston. The motion was seconded by Council Member Reddick.

Council Member Reddick stated that this is to make sure that they are operating under the perimeters of the law.

Council Member Harris stated that they recently received a list of legislation that was passed by the legislature during this session and one of items she noted that to change any form of government would require a referendum.

Council Member Jenkins stated that his reading of the voting rights act it did not have to do with what type of government but if someone was impacted by, their inability to vote required pre-clearance based off his understanding of the language of the act.

On call of the roll, the following vote was recorded: ayes: Council Member Jenkins, Reddick, Little, Harris, and Draper; nays: none. The motion carried.

Council Member Jenkins made a motion to allow the City Manager to enter into negotiations with Dorsey Architect Inc. to craft a program scope for presentation to the City Council with Dorsey Architect Inc. developing that program, from collaboration with Dr. Satcher and his personnel, the civil rights enhancement committee, and the City Council with the original request components that falls under the line item budget. The motion was seconded by Mayor Draper.

Council Member Harris asked that if part of the plan was to look at what was already there? She was told of two free health clinics out in West Anniston and asked if Dr. Satcher would be interested in working with nonprofits that are already there to combine resources.

Council Member Jenkins stated that that would ultimately be something the Civil Rights enhancement committee would discuss. Until that, committee meets with Dr. Satcher and he staff and understanding his expectations to what will happen any talk would be premature.

Council Member Little stated that due to the current climate it is a building structure and a few other things. He states you have a surgeon general from Anniston Alabama that served honorable with distinction and he would draw national and international people into this area.

Council Member Reddick stated that he had talked with Sheila Smoot and she regrets not being present.

On call of the roll, the following vote was recorded: ayes: Council Member Jenkins, Reddick, Little, Harris, and Draper; nays: none. The motion carried.

RESOLUTION NUMBER 19-R-162

A RESOLUTION APPOINTING MEMBER(S) TO MAIN STREET ANNISTON BOARD

WHEREAS, the Council has adopted Ordinance No. 14-O-13, an ordinance amending Division 1, Article XI, Chapter 2 of the Code of Ordinances for the City of Anniston, Alabama Regulating Boards, Commissions and Authorities, in order to, among other things, assign the positions on the City's boards, commissions and authorities to nominations by specific Council Ward Representatives or to the Office of the Mayor so that those who are appointed to serve more fairly and equitably represent the citizenry of the City and to simplify and clarify to Council's nomination and appointment process;

WHEREAS, the Council has adopted a schedule of nominations to govern appointments to the Main Street Anniston Board;

WHEREAS, the Council desires to make certain appointments to said Board in accordance with the previously adopted Schedule of Nominations;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Anniston, Alabama as follows:

Section 1. The City Council of the City of Anniston does hereby appoint those persons identified in the Schedule of Nominations for the Main Street Anniston Board attached hereto as Exhibit A to the board and for the terms set forth therein.

Section 2. That the City Clerk shall cause a copy of this Resolution to be mailed to the above named appointees and to said board.

PASSED and ADOPTED this 4th day of June, 2019

CITY COUNCIL OF THE CITY OF ANNISTON, ALABAMA

By:/s/ Jack Draper, Mayor
By:/s/ Jay W. Jenkins, Council Member
By:/s/ David E. Reddick, Council Member
By:/s/ Benjamin L. Little, Council Member
By:/s/ Millie Harris, Council Member

Mayor Draper made a motion for passage and adoption of Resolution 19-R-162, A Resolution Appointing member(s) to the Anniston Main Street Board (Whitney Roberson). The motion was seconded by Council Member Jenkins and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Reddick, Little, Harris, and Draper; nays: none. The motion carried and Resolution 19-R-162 was passed and adopted.

RESOLUTION NO. 19-R-163

**A RESOLUTION DECLARING VARIOUS VEHICLES AND PIECES OF EQUIPMENT AS SURPLUS AND
AUTHORIZING THEIR SALE**

WHEREAS, the City Council of the City of Anniston, Alabama, hereby finds that those certain motor vehicles/equipment and personal property more particularly described on Exhibit "A" attached hereto and incorporated herein are not now presently being used for municipal purposes, nor are they needed for use by the City of Anniston in the future.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Anniston, Alabama as follows:

Section 1. That those certain motor vehicles/equipment and personal property more particularly described in Exhibit "A" attached hereto and incorporated herein for all purposes, be and the same are hereby declared surplus to the needs of the City of Anniston.

Section 2. That Skyler Bass, City Clerk of the City of Anniston, be and she is hereby authorized, directed, and empowered to cause said motor vehicles/equipment and personal property to be sold and/or traded and to execute title certificates, bills of sale or other documents of conveyance to the purchasers provided, however, that all sales of motor vehicles/equipment made by the City shall be "as is – where is" with no warranties expressed or implied.

Section 3. This resolution shall become effective immediately upon its passage and adoption by the City Council.

PASSED AND ADOPTED this the 4th day of June, 2019.

CITY COUNCIL OF THE CITY OF ANNISTON, ALABAMA

By:/s/ Jack Draper, Mayor
By:/s/ Jay W. Jenkins, Council Member
By:/s/David E. Reddick, Council Member
By:/s/ Benjamin L. Little, Council Member
By:/s/ Millie Harris, Council Member

Mayor Draper made a motion for passage and adoption of Resolution 19-R-163, A Resolution Declaring various vehicles and pieces of equipment as surplus and authorizing their sale (PD). The motion was seconded by Council Member Jenkins and on call of the roll, the following vote was recorded: ayes: Council Member Jenkins, Reddick, Little, Harris, and Draper; nays: none. The motion carried and Resolution 19-R-163 was passed and adopted.

RESOLUTION NO. 19- R -164

**A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE A PROFESSIONAL
SERVICES AGREEMENT WITH DUNN & MAX CONSULTING**

WHEREAS the City Council believes that the City should engage a professional consultant to aid in the administration of the City's Housing and Urban Development (HUD) programs;

WHEREAS the City Council believes that Dunn & Max Consulting possesses a high degree of skill on such matters; WHEREAS the City Council desires to engage Dunn & Max Consulting to provide professional services to the City on such matters;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Anniston, Alabama that the City Manager is hereby authorized and directed to execute a professional services agreement with the Dunn & Max Consulting in accordance with their response to the City's RFP for Community Development Consulting Services attached hereto as Exhibit A.

PASSED AND ADOPTED this the 4th day of June, 2019.

CITY COUNCIL OF THE CITY OF ANNISTON, ALABAMA

By:/s/ Jack Draper, Mayor
By:/s/ Jay W. Jenkins, Council Member
By:/s/ David E. Reddick, Council Member
By:/s/ Benjamin L. Little, Council Member
By:/s/Millie Harris, Council Member

Mayor Draper made a motion for passage and adoption of Resolution 19-R-164, A Resolution authorizing the City Manager to execute a Professional Services Agreement with Dunn & Max Consulting. The motion was seconded by Council Member Little.

Council Member Reddick made a motion to amend Resolution 19-R-164 to change the length of the contract from 3 years to 1 year. The motion was seconded by Council Member Little and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Reddick, Little, Harris, and Draper. The motion to amend Resolution 19-R-164 carried.

On call of the roll the following vote was recorded: Council Member Jenkins, Reddick, Little, Harris, and Draper. The motion carried and Resolution 19-R-164 was passed and adopted.

RESOLUTION NO. 19-R-165

A RESOLUTION CREATING THE ANNISTON YOUTH ADVISORY COUNCIL FOR THE CITY OF ANNISTON

WHEREAS, the City of Anniston desires to foster involvement of young people in the work of the City; and

WHEREAS, the creation of a Youth Advisory Council is an appropriate means to foster that involvement; NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Anniston, Alabama as follows:

Section 1: Youth Advisory Council Created; Purpose: The Anniston Youth Advisory Council is hereby created to serve as an advisory body to the City Council in matters related to the needs of youth in Anniston, and to promote youth involvement in the community.

Section 2: Duties and Responsibilities: The Anniston Youth Advisory Council shall have the following duties and responsibilities:

☐ Foster greater involvement of youth in municipal government affairs. ☐ Study problems, activities, and concerns of youth, especially as they relate to municipal programs or projects of the City of Anniston. ☐

Hold forums on problems, activities and concerns of youth, either alone or in conjunction with other governmental agencies and community organizations, as the Anniston Youth Advisory Council deems desirable. ☐ Recommend the implementation of community programs which the Youth Advisory Council deems desirable. ☐ Review those municipal matters referred to by the City Council or other City committees and, as appropriate, and make recommendations on those matters. ☐ Encourage youth participation in City and Community events. ☐ Promote and conduct healthy, safe and fun activities for the youth of Anniston.

Section 3: Members and Officers: The Anniston Youth Advisory Council shall be comprised of a total of eight (8) members. Members shall be in grades 10 and 11 in a local public or private Anniston school at the time of appointment.

From the members who are appointed to the Anniston Youth Advisory Council, one shall be selected annually from among its members to serve in each of the following offices: President, Vice President and Secretary.

The President shall preside at all meetings of the Anniston Youth Advisory Council, and shall provide a quarterly report to the City Council on all activities and recommendations of the Anniston Youth Advisory Council. The Vice President shall serve as Chairperson in the absence of the President or when President is unable to serve in such capacity and other assists the Chair in executing the duties and responsibilities of the Anniston Youth Advisory Council. The Secretary shall preside at all Youth Council meetings, and keep accurate records and minutes of all actions taken by the Youth Council. The Secretary shall prepare the quarterly reports which will be presented by the Chairperson to the City Council.

Section 4: Eligibility; Appointment: Any student attending a school in the City of Anniston who has at least a 2/5 cumulative grade point average is eligible for appointment to the Anniston Youth Advisory Council. Each member of the Youth Council shall maintain at least a 2.5 cumulative grade point average during his or her term on the Youth Advisory Council.

Section 5: Tenure: Each member of the Anniston Youth Advisory Council shall serve a term of two (2) years or until he or she graduates from high school whichever occurs first or is no longer eligible to serve on the Anniston Youth Advisory Council. The Anniston Youth Advisory Council members shall serve without compensation and shall incur no expenses chargeable to the City without prior authorization of the City Council.

Section 6: Quorum; Attendance: A majority of the members of the Anniston Youth Advisory Council then in office shall constitute a quorum for the conduct of business. The Youth Council President shall inform the City Council of any member who fails to attend three meetings in any twelve-month period and the City Council may excuse the absences or replace the Council member in its discretion.

Section 7: Conflicts of Interest: All meetings of the Anniston Youth Council shall be held in compliance with the Open Meetings Act and members of the Youth Council shall conduct themselves consistently with state laws governing potential conflicts of interest.

PASSED AND ADOPTED this the 4th day of June, 2019.

CITY COUNCIL OF THE CITY OF ANNISTON, ALABAMA

By:/s/ Jack Draper, Mayor
By:/s/ Jay W. Jenkins, Council Member
By:/s/ David E. Reddick, Council Member
By:/s/ Benjamin L. Little, Council Member
By:/s/ Millie Harris, Council Member

Council Member Jenkins made a motion for passage and adoption of Resolution 19-R-166, A Resolution creating the Anniston Youth Advisory Council for the City of Anniston. The motion was seconded by Council Member Little and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Reddick, Little, Harris, and Draper; nays: none. The motion carried and Resolution 19-R-165 was passed and adopted.

Resolution No. 19-R-166

A Resolution Authorizing Reimbursements to City Officials for Expenses Incurred While Traveling Away From the City

BE IT RESOLVED, by the City Council of the City of Anniston, Alabama, that reimbursement is made by the City of Anniston, Alabama, as follows:

- a. \$110.78 to Lee Willis, Inspections, for reimbursement while attending the AAPGMI Conference in Auburn, AL April 2-5, 2019.
- b. \$114.90 to Justin Hartley, Police, for reimbursement while attending CALEA Conference in Huntsville, AL May 1-3, 2019.
- c. \$218.83 to Gregg Poole, Fire, for reimbursements while attending the Skills USA Competition in Birmingham, AL April 15-17, 2019.

Passed and adopted this 4th day of **June, 2019**

City Council of the City of Anniston Alabama

By:/s/ Jack Draper, Mayor
By:/s/ Jay Jenkins, Council Member
By:/s/ David Reddick, Council Member
By:/s/ Benjamin L. Little, Council Member
By:/s/ Millie Harris, Council Member

Mayor Draper made a motion for passage and adoption of Resolution 19-R-166. The motion was seconded by Council Member Harris and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Reddick, Little, Harris, and Draper; nays: none. The motion carried and Resolution 19-R-166 was passed and adopted.

Glen Ray, 3514 Dale Hollow Rd, addressed the Council on Tim Brunson and what the criteria is for people on the boards and that Tim Brunson should be removed from the Police Advisory Board.

Jerry Dansey, 922 W 31st St, addressed the Council on neighborhood dogs.

Reatha Stephens, 2213 Walnut Ave, addressed the Council on mosquitos and tires in her neighborhood.

Richard Jackson, 2317 Noble Street, addressed the Council on civil rights representation in Anniston, AL.

Clay Dorsey, Dorsey Architect Inc., addressed the Council on the new project involving the Civil Rights, Health Institute, and Senior Citizen Facility.

Council Member Harris wanted to remind everyone of the 75th Anniversary of D-day Event at the Berman Museum at 10:30 a.m. and former City Manager, Kent Davis will be speaking

Council Member Little thanked the Council for the cooperation for a majority of things that took place. He stated that all they want in West Anniston and South Anniston is the opportunity for development and improvement in the community. Thanked the council for supporting Mr. Dorsey and his firm and he sees this as a great opportunity to see Anniston nationally and internationally. We need a building that represents the stature of Dr. Satcher. There is a taxi in the City without a sign and citizens need to know that they are getting in a taxi and those cabs are not supposed to be smoking in those vehicles. He stated that he wants his board appointment.

Council Member Reddick thanked the council for having a conversation and that should always be able to communicate even if they do not agree. He stated that an internet troll said he was untrustworthy because he was biracial. In addition, when that individual was brought up he is not present. He stated that Tim Brunson is an internet troll and trying to find some type of relevancy. He stated that Brunson comes into their community around their children with all the accusations about him.

Council Member Jenkins had no comment.

Mayor Draper announced he is appointing Antoinette English to the civil rights trail enhancement committee and that it is unfortunate to talk about a private citizen and the council gives him the opportunity to come and respond about the accusations against him during informal public comment as well as any private citizen. He stated that he is proud that the City of Anniston and Oxford have been selected as a 2019 National Public Safety Partnership Sight; this will help reduce crime and provide resources to reduce crime. This shows that the Police Department is out there working and that they are partnering with their neighbors.

There being no further business to come before the council at that time Mayor Draper made a motion the meeting be adjourned. The motion was seconded by Council Member Reddick; and on call of the roll, the following vote was recorded: ayes: Council Members Jenkins, Reddick, Little, Harris and Draper nays: none. The motion carried and the meeting was adjourned at approximately 6:58 p.m.